

FISCAL NOTE

SB 2491 - HB 3274

February 17, 2004

SUMMARY OF BILL: Allows an injured employee or personal representative, dependent or next of kin to initiate a claim directly against the employer for injuries proximately caused by the employer's gross negligence or violation of industry or governmental standards designed or intended to provide for safety of workers.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures:

Exceeds \$100,000 Recurring /Claims Award Fund

\$440,960 Recurring

\$40,000 One-Time

Increase Local Govt. Expenditures - Exceeds \$100,000 Recurring

Estimate assumes:

- an increase in state expenditures to the Department of Labor and Workforce Development, Division of Occupational Safety and Health Administration, for eight positions and related expenses to handle the increased number of employee complaints.
- an increase in expenditures to local governments to cover litigation in defending lawsuits.
- a potential increase in expenditures to the Claims Award Fund up to \$300,000 (the limit under TCA 9-8-307(e), if one claim is filed and paid under the provisions of this bill.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

